

From: john heasley
To: Microsoft ATR
Date: 1/24/02 3:05pm
Subject: Microsoft Settlement

DOJ Antitrust Division,

I am writing this morning to express my support for Dan Kegel's forthcoming petition for further consideration of points of the proposed MicroSoft antitrust settlement.

futhermore, Computing has become a necessity in the everyday lives of nearly the entire population of the globe. The ability to communicate electronically, from electronic mail to a text document, is based on the fundamental concept of interoperability, which is entirely possible between any computer produced by any manufacturer if the underlying protocols are made known. This is fact and can be applied to almost any process, such as the US postal service, and is exemplified by the Internet Engineering Task Force (IETF, www.ietf.org) standards body which has developed many of the standards used in the Internet today, such as the Simple Mail Transfer Protocol (SMTP) for e-mail exchange. It may also be seen in the ITU, who has developed protocols that make even the most basic telephone call possible.

Without protocols being known, it is impossible for products to compete because customers will not be willing to sacrifice the ability to communicate with others. If the basic Internet protocols had not been published by DARPA in the 1980's, no other networked device would have been capable of communicating with their machines and today over 600 millions machines communicate. Those that have poor implementations of those protocols differentiate themselves from those who excell by their own sword.

Those businesses who create inferior products, such as MicroSoft, or whose product's quality diminishes will find themselves with a mass exodus of customers. Without competition, those businesses have no incentive to excell and customers have no alternatives.

In the case of Intel based computers, customers do have a choice. Alternative operating systems exist. Some of which are actually stable, secure, and reliable. For example, netbsd (www.netbsd.org) running on one of my machines has an uptime (ie: a consistent operating period without any kind of reboot or crash) usually measured in a number of months vs. the comparable Microsoft machine measure in hours or days.

There is no contest in my mind; operating systems exist that are superior to MicroSoft. But within lay two problems.

1) The majority of these alternatives are not suitable for the casual

user. They require a more mature knowledge of computing which the average user lacks and is not necessarily easily acquired.

- 2) In computing, as with a simple telephone, the freedom to choose a product based on its merits is void if the cost is interoperability. The value of networking is zero if two devices can not communicate or, more precisely, a user can not communicate with any given individual of their choosing.

By MicroSoft being allowed to continue its anti-competitive practices, they are robbing citizens of their right to choose. They can not choose alternatives if those alternatives render it impossible to communicate with those that choose to continue using MicroSoft products. Furthermore, their agreements with other vendors for access to their APIs (Application Programming Interfaces) and other operating system programming specific data exacerbates the situation by forcing these businesses to make similar information proprietary and thus it is impossible for other vendors to communicate (ie: compete).

Imagine yourselves booting your computer and using it error free until a hardware failure or desired upgrade makes it necessary to reboot. Imagine applications that are not as frustrating to use as MicroSoft Powerpoint, but can read and write the documents produced by them. Imagine applications that do not have gaping security holes which allow viruses through to destroy your data and cost your company hours to repair.

It is my firm belief that the DOJ should not consider any settlement that permits MicroSoft to continue its onslaught of anti-competitive contractual agreements through omission of explicit court demands or vagueness of interpretation of those demands. Please rule in favor of the people.

Cheers,
john heasley
portland, oregon